


**Government of the District of Columbia  
Office of the Chief Financial Officer**

**Natwar M. Gandhi**  
Chief Financial Officer



**MEMORANDUM**

**TO:** The Honorable Linda W. Cropp  
Chairman, Council of the District of Columbia

**FROM:** Natwar M. Gandhi   
Chief Financial Officer

**DATE:** JUL -5 2005

**SUBJECT:** Fiscal Impact Statement: "Uniform Mediation Act of 2005"

**REFERENCE:** Bill Number 16-145

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**Conclusion**

Funds are sufficient in the FY 2005 and the Mayor's proposed FY 2006 through FY 2009 budget and financial plan to implement the proposed legislation because no additional staff or resources would be required.

**Background**

The proposed legislation would:

- (1) create a statutory privilege for mediation communications;
- (2) create an evidentiary privilege for mediators and mediation participants that would apply in later legal proceedings; and
- (3) require mediators to be impartial, and to disclose their qualifications and any conflicts of interest.

**Financial Plan Impact**

Funds are sufficient in the FY 2005 and the Mayor's proposed FY 2006 through FY 2009 budget and financial plan to implement the proposed legislation because no additional staff or resources would be required. The proposed legislation would create an evidentiary privilege for certain

mediation communications, but would not create a fiscal impact. Federal and local anti-deficiency laws<sup>1</sup> prohibit District officers and employees from exceeding appropriations in any fiscal year.

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<sup>1</sup> Anti-deficiency laws 31 U.S.C. § 1341 (2000) and D.C. Official Code § 47-355.01 *et. Seq.* (2003)